

AO 441 (Rev. 12/09) Summons on Third-Party Complaint

UNITED STATES DISTRICT COURT

for the

Western District of Texas

WSOU Investments, LLC d/b/a Brazos Licensing and
Development_____
Plaintiff

v.

Canon Inc.*Defendant, Third-party plaintiff*

v.

NXP USA, Inc.*Third-party defendant*

Civil Action No. 6:20-cv-00980

SUMMONS ON A THIRD-PARTY COMPLAINT

To: *(Third-party defendant's name and address)* NXP USA, Inc. by and through its Registered Agent
Corporation Service Company
d/b/a CSC – Lawyers Incorporating Service Company
211 E. 7th Street, Suite 620
Austin, TX 78701

A lawsuit has been filed against defendant Canon Inc., who as third-party plaintiff is making this claim against you to pay part or all of what the defendant may owe to the plaintiff WSOU Investments, LLC d/b/a Brazos Licensing and Development

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(3) — you must serve on the plaintiff and on the defendant an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendant or defendant's attorney, whose name and address are:

Richard F. Martinelli
Orrick Herrington & Sutcliffe LLP
51 West 52nd Street, New York, NY 10019-6142

It must also be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jonathan K. Waldrop
Kasowitz Benson Torres, LLP,
333 Twin Dolphin Drive, Suite 200, Redwood Shores, CA 94065

If you fail to respond, judgment by default will be entered against you for the relief demanded in the third-party complaint. You also must file the answer or motion with the court and serve it on any other parties.

A copy of the plaintiff's complaint is also attached. You may – but are not required to – respond to it.

Date: March 31, 2021



CLERK OF COURT

Brianna Winter

Signature of Clerk or Deputy Clerk

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PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

RETURN / AFFIDAVIT
PROOF / ATTACHED

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AFFIDAVIT OF SERVICE

UNITED STATES DISTRICT COURT
Western District of Texas

Case Number: 6:20-CV-00980

WSOU INVESTMENTS, LLC
d/b/a BRAZOS LICENSING AND
DEVELOPMENT
Plaintiff,

v.

CANON INC.
Defendant, Third-party plaintiff,

v.

NXP USA, INC.
Third-party defendant

Received these papers on the 2nd day of April, 2021 at 12:30 pm to be served on NXP USA, INC. care of its Registered Agent, CORPORATION SERVICE COMPANY D/B/A CSC – LAWYERS INCORPORATING SERVICE COMPANY, 211 E. 7th Street, Suite 620, Austin, Travis County, TX 78701.

I, Jeff Keyton, being duly sworn, depose and say that on the 2nd day of April, 2021 at 2:14 pm, I:

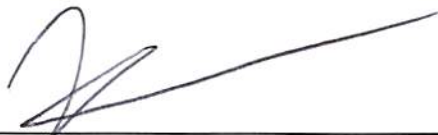
hand delivered a true copy of this Summons in a Civil Action together with Defendant Canon Inc.'s Third-Party Complaint Against NXP USA, INC. to NXP USA, INC. care of its Registered Agent, CORPORATION SERVICE COMPANY D/B/A CSC – LAWYERS INCORPORATING SERVICE COMPANY, by and through its designated agent, JOHN SPIDEL, at the address of: 211 E. 7th Street, Suite 620, Austin, Travis County, TX 78701, having first endorsed upon such copy of such process the date of delivery.

I certify that I am approved by the Judicial Branch Certification Commission, Misc. Docket No. 05-9122 under rule 103, 501, and 501.2 of the TRCP to deliver citations and other notices from any District, County and Justice Courts in and for the State of Texas. I am competent to make this oath; I am not less than 18 years of age, I am not a party to the above-referenced cause, I have not been convicted of a felony or a crime of moral turpitude, and I am not interested in the outcome of the above-referenced cause.

Subscribed and Sworn to before me on the 2nd day of
April, 2021 by the affiant who is personally known to me.


NOTARY PUBLIC




Jeff Keyton
PSC-735; Exp 7/31/2022

Our Job Serial Number: THP-2021001490
Ref: 091-0121

